

PART 165—REGULATIONS FOR THE ACCEPTANCE OF CERTAIN PES- TICIDES AND RECOMMENDED PROCEDURES FOR THE DISPOSAL AND STORAGE OF PESTICIDES AND PESTICIDES CONTAINERS

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Subpart A—General

§ 165.1 Definitions.

As used in this part, all terms not defined herein shall have the meaning given them by the Act.

(a) *The Act* means the Federal Insecticide, Fungicide, and Rodenticide Act as amended by the Federal Environmental Pesticide Control Act of 1972 (Pub. L. 92–516, 86 Stat. 973).

(b) *Agency* means the U.S. Environmental Protection Agency.

(c) (1) *Administrator* means the Administrator of the Agency, or any officer or employee thereof to whom authority has been heretofore delegated or to whom authority may hereafter be delegated, to act in his stead.

(2) *Regional Administrator* means the Administrator of a Regional Office of the Agency or his delegatee.

(d) *Adequate storage* means placing of pesticides in proper containers and in safe areas as

per § 165.10 as to minimize the possibility of escape which could result in unreasonable adverse effects on the environment.

(e) *Complete destruction* of pesticides means alteration by physical or chemical processes to inorganic forms.

(f) *Container* means any package, can, bottle, bag, barrel, drum, tank, or other containing-device (excluding spray applicator tanks) used to enclose a pesticide or pesticide-related waste.

(g) *Decontamination/detoxification* means processes which will convert pesticides into nontoxic compounds.

(h) *Degradation products* means those chemicals resulting from partial decomposition or chemical breakdown of pesticides.

(i) *Diluent* means the material added to a pesticide by the user or manufacturer to reduce the concentration of active ingredient in the mixture.

(j) *Encapsulate* means to seal a pesticide, and its container if appropriate, in an impervious container made of plastic, glass, or other suitable material which will not be chemically degraded by the contents. This container then should be sealed within a durable container made from steel, plastic, concrete, or other suitable material of sufficient thickness and strength to resist physical damage during and subsequent to burial or storage.

(k) *Heavy metals* means metallic elements of higher atomic weights, including but not limited to arsenic, cadmium, copper, lead, mercury, manganese, zinc, chromium, tin, thallium, and selenium.

(l) *Imminent hazard* means a situation which exists when the continued use of a pesticide during the time required for cancellation proceedings would be likely to result in unreasonable adverse effects on the environment or will involve unreasonable hazard to the survival of a species declared endangered by the Secretary of the Interior under Pub. L. 91–135.

(m) *Ocean dumping* means the disposal of pesticides in or on the oceans and seas, as defined in Pub. L. 92–532.

(n) *Open burning* means the combustion of a pesticide or pesticide container in any fashion other than incineration.

(o) *Open dumping* means the placing of pesticides or containers in a land site in a manner which does not protect the environment and is exposed to the elements, vectors, and scavengers.

(p) *Pesticide* means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

(1) *Excess pesticides* means all pesticides which cannot be legally sold pursuant to the Act or which are to be discarded.

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(2) *Organic pesticides* means carbon-containing substances used as pesticides, excluding metallo-organic compounds.

(3) *Inorganic pesticides* means noncarbon-containing substances used as pesticides.

(4) *Metallo-organic pesticides* means a class of organic pesticides containing one or more metal or metalloid atoms in the structure.

(q) *Pesticide-related wastes* means all pesticide-containing wastes or by-products which are produced in the manufacturing or processing of a pesticide and which are to be discarded, but which, pursuant to acceptable pesticide manufacturing or processing operations, are not ordinarily a part of or contained within an industrial waste stream discharged into a sewer or the waters of a state.

(r) *Pesticide incinerator* means any installation capable of the controlled combustion of pesticides, at a temperature of 1000° C (1832° F) for two seconds dwell time in the combustion zone, or lower temperatures and related dwell times that will assure complete conversion of the specific pesticide to inorganic gases and solid ash residues. Such installation complies with the Agency Guidelines for the Thermal Processing of Solid Wastes as prescribed in 40 CFR part 240.

(s) *Safe disposal* means discarding pesticides or containers, in a permanent manner so as to comply with these proposed procedures and so as to avoid unreasonable adverse effects on the environment.

(t) *Sanitary landfill* means a disposal facility employing an engineered method of disposing of solid wastes on land in a manner which minimizes environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying cover material at the end of each working day. Such facility complies with the Agency Guidelines for the Land Disposal of Solid Wastes as prescribed in 40 CFR part 241.

(u) *Scrubbing* means the washing of impurities from any process gas stream.

(v) *Soil injection* means the emplacement of pesticides by ordinary tillage practices within the plow layer of a soil.

(w) *Specially designated landfill* means a landfill at which complete long term protection is provided for the quality of surface and subsurface waters from pesticides, pesticide containers, and pesticide-related wastes deposited therein, and against hazard to public health and the environment. Such sites should be located and engineered to avoid direct hydraulic continuity with surface and subsurface waters, and any leachate or subsurface flow into the disposal area should be contained within the site unless treatment is provided. Monitoring wells should be established and a sampling and analysis program conducted. The location of the disposal site should be permanently recorded

in the appropriate local office of legal jurisdiction. Such facility complies with the Agency Guidelines for the Land Disposal of Solid Wastes as prescribed in 40 CFR part 241.

(x) *Triple rinse* means the flushing of containers three times, each time using a volume of the normal diluent equal to approximately ten percent of the container's capacity, and adding the rinse liquid to the spray mixture or disposing of it by a method prescribed for disposing of the pesticide.

(y) *Unreclaimable residues* means residual materials of little or no value remaining after incineration.

(z) *Water dumping* means the disposal of pesticides in or on lakes, ponds, rivers, sewers, or other water systems as defined in Pub. L. 92-500.

(aa) *Well injection* means disposal of liquid wastes through a hole or shaft to a subsurface stratum.

§ 165.2 Authorization and scope.

(a) The regulations in this part and recommended procedures are published pursuant to sections 19(a) and 25(a) of the Act, which give the Administrator the authority to establish regulations and procedures for the disposal or storage of packages and containers of pesticides, and for disposal or storage of excess amounts of such pesticides, and require the Administrator to accept for safe disposal a pesticide the registration of which is canceled under section 6(c) of the Act if requested by the owner of the pesticide. Section 165.11 of these recommended procedures (Pesticide-Related Wastes) is published pursuant to Section 204 of the Solid Waste Disposal Act (Pub. L. 89-272 as amended by Pub. L. 91-512) which authorizes the Administrator to make information available and to make recommendations concerning the disposal and handling of wastes.

(b) Regulations for acceptance for safe disposal of pesticides canceled under section 6(c) and recommended procedures for disposal or storage of pesticides, pesticide containers, and pesticide-related wastes are those which the Administrator judges as necessary, with an adequate margin of safety, to protect public health and the environment. Such procedures are subject to addition and revision as the Administrator deems necessary.

(c) The recommended procedures for the disposal of pesticides and pesticide containers apply to all pesticides, pesticide-related wastes (and their containers) including those which are or may in the future be registered for general use or restricted use, or covered under an experimental use permit, except those single containers discussed in paragraph (e) of this section. These disposal procedures are mandatory only for the Agency in carrying out its pesticide and container disposal operations.

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(d) The recommended procedures and criteria for the storage of pesticides and pesticide containers apply to all pesticides and excess pesticides and to used empty containers and containers which contain pesticides. These procedures and criteria apply to sites and facilities where pesticides that are classed as highly toxic or moderately toxic, and bear the signal words DANGER, POISON, or WARNING, or the skull and crossbones symbol, on the label are stored. Pesticides covered by an experimental use permit should also be stored in accordance with these procedures. These storage procedures are mandatory only for the Agency in carrying out its pesticide and container storage operations. Temporary storage by the user of the quantity of pesticide needed for a single application may be undertaken in isolated areas in accordance with the procedures and criteria given in § 165.10(a).

(e) Recommended pesticide and pesticide container disposal procedures shall not apply to containers of pesticides registered for use in the home and garden if securely wrapped in several layers of paper and disposed of singly during routine municipal solid waste disposal, nor to containers of pesticides used on farms and ranches where disposal by open-field burial of single containers is undertaken with due regard to the protection of surface and sub-surface waters.

(f) As a general guideline, the owner of excess pesticides should first exhaust the two following avenues before undertaking final disposal:

(1) Use for the purposes originally intended, at the prescribed dosage rates, providing these are currently legal under all Federal, State, and local laws and regulations.

(2) Return to the manufacturer or distributor for potential re-labelling, recovery of resources, or re-processing into other materials. Transportation must be in accordance with all currently applicable U.S. Department of Transportation regulations, including those prescribed in 49 CFR parts 170–179 and 397, 46 CFR part 146, and 14 CFR part 103. The “for hire” transportation of unregistered pesticides across state lines may be subject to the Interstate Commerce Commission’s economic regulations (49 U.S.C. 1 et seq. for rail carriers; 306, 307, and 309 for motor carriers; and 909 for domestic water carriers), and the Commission should be contacted in case of doubt.

NOTE: Some excess pesticides may be suitable for export to a country where use of the pesticide is legal. All pesticides so exported should be in good condition and packed according to specifications of the foreign purchaser, and must be transported to the port of embarkation in accordance with all Department of Transportation regulations. All shipments should be in conformance with section 17(a) of the Act.

(g) To provide documentation of actual situations, all accidents or incidents involving the storage or disposal of pesticides, pesticide containers, or pesticide-related wastes should be reported to the appropriate Regional Administrator.

Subpart B—Acceptance Regulations

§ 165.3 Acceptable pesticides.

The Administrator will accept for safe disposal those pesticides the registrations of which have been canceled, after first having been suspended to prevent an imminent hazard during the time required for cancellation proceedings as specified in section 6(c) of the Act. However, no other pesticides will be accepted pursuant to section 19(a) of the Act, and nothing herein shall obligate the Federal Government to own or operate any disposal facility.

§ 165.4 Request for acceptance.

(a) Before the owner of such a pesticide requests acceptance by the Administrator for disposal, he shall make every reasonable effort to return the material to either its manufacturer, distributor, or to another agent capable of using the material.

(b) If such an effort is unsuccessful, the following procedure shall be used by the owner of a suspended pesticide to request acceptance by the Administrator:

(1) The owner of such a pesticide must make a formal request for acceptance, in writing, to the Regional Administrator for the area where such pesticides are located.

(2) Records and data pertaining to the amount, location, physical form, type and condition of containers, and date of manufacture or purchase of individual lots must be submitted. Certification that the owner of the suspended pesticide has made every reasonable effort to return the material to the manufacturer, distributor of the pesticide, or to other agents capable of relabeling, recovering, recycling or reprocessing the material and has been refused on the basis of technological infeasibility, must also be submitted.

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If it is found that a canceled pesticide meets the requirements for acceptance, the Regional Administrator will confer with the owner for purposes of arranging a mutually convenient location for acceptance of individual lots of such canceled pesticides. Transportation to the acceptance location will be the responsibility of, and transportation costs will be borne by, the owner of the pesticide.

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§ 165.6 Disposal.

Following such acceptance, the Regional Administrator will cause the disposal or storage of such pesticide as appropriate, in accordance with the procedures outlined in subparts A and C of this part.

Subpart C—Pesticides and Containers

§ 165.7 Procedures not recommended.

No person should dispose of or store (or receive for disposal or storage) any pesticide or dispose of or store any pesticide container or pesticide container residue:

- (a) In a manner inconsistent with its label or labeling.
- (b) So as to cause or allow open dumping of pesticides or pesticide containers.
- (c) So as to cause or allow open burning of pesticides or pesticide containers; except, the open burning by the user of small quantities of combustible containers formerly containing organic or metallo-organic pesticides, except organic mercury, lead, cadmium, or arsenic compounds, is acceptable when allowed by State and local regulations.
- (d) So as to cause or allow water dumping or ocean dumping, except in conformance with regulations developed pursuant to the National Marine Protection, Research and Sanctuaries Act of 1972 (Pub. L. 92-532), and to sections 304, 307, and 311 of the Federal Water Pollution Control Act as Amended (Pub. L. 92-500).
- (e) So as to violate any applicable Federal or State pollution control standard.
- (f) So as to violate any applicable provisions of the act.

§ 165.8 Recommended procedures for the disposal of pesticides.

Recommended procedures for the disposal of pesticides are given below:

- (a) Organic pesticides, (except organic mercury, lead, cadmium, and arsenic compounds which are discussed in paragraph (c) of this section) should be disposed of according to the following procedures:
 - (1) Incinerate in a pesticide incinerator at the specified temperature/dwell time combination, or at such other lower temperature and related dwell time that will cause complete destruction of the pesticide. As a minimum it should be verified that all emissions meet the requirements of the Clean Air Act of 1970 (42 U.S.C. 1857 *et seq.*) relating to gaseous emissions: Specifically any performance regulations and standards promulgated under sections 111 and 112 should be adhered to. Any

liquids, sludges, or solid residues generated should be disposed of in accordance with all applicable Federal, State, and local pollution control requirements. Municipal solid waste incinerators may be used to incinerate excess pesticides or pesticide containers provided they meet the criteria of a pesticide incinerator and precautions are taken to ensure proper operation.

- (2) If appropriate incineration facilities are not available, organic pesticides may be disposed of by burial in a specially designated landfill. Records to locate such buried pesticides within the landfill site should be maintained.

- (3) The environmental impact of the soil injection method of pesticide disposal has not been clearly defined nationally, and therefore this disposal method should be undertaken only with specific guidance. It is recommended that advice be requested from the Regional Administrator in the region where the material will be disposed of prior to undertaking such disposal by this method.

- (4) There are chemical methods and procedures which will degrade some pesticides to forms which are not hazardous to the environment. However, practicable methods are not available for all groups of pesticides. Until a list of such methods is available, it is recommended that advice be requested from the Regional Administrator in the region where the material will be disposed of prior to undertaking disposal by such method.

- (5) If adequate incineration facilities, specially designated landfill facilities, or other approved procedures are not available, temporary storage of pesticides for disposal should be undertaken. Storage facilities, management procedures, safety precautions and fire and explosion control procedures should conform to those set forth in § 165.10.

- (6) The effects of subsurface emplacement of liquid by well injection and the fate of injection materials are uncertain with available knowledge, and could result in serious environmental damage requiring complex and costly solutions on a long-term basis. Well injection should not be considered for pesticide disposal unless all reasonable alternative measures have been explored and found less satisfactory in terms of environmental protection. As noted in the Administrator's Decision Statement No. 5, dated February 6, 1973, the Agency's policy is to oppose well injection of fluid pesticides "without strict controls and a clear demonstration that such emplacement will not interfere with present or potential use of the subsurface environment, contaminate ground water resources or otherwise damage the environment." Adequate pre-injection tests, provisions for monitoring the operation and the environmental effects, contingency plans to cope with well failures, and provisions for plugging injection wells when aban-

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done should be made. The Regional Administrator should be advised of each operation.

(b) Metallo-organic pesticides (except organic mercury, lead, cadmium, or arsenic compounds which are discussed in paragraph (c) of this section), should be disposed of according to the following procedures:

(1) After first subjecting such compounds to an appropriate chemical or physical treatment to recover the heavy metals from the hydrocarbon structure, incinerate in a pesticide incinerator as described in paragraph (a)(1) of this section.

(2) If appropriate treatment and incineration are not available, bury in a specially designated landfill as noted in paragraph (a)(2) of this section.

(3) Disposal by soil injection of metallo-organic pesticides should be undertaken only in accordance with the procedure set forth in paragraph (a)(3) of this section.

(4) Chemical degradation methods and procedures that can be demonstrated to provide safety to public health and the environment should be undertaken only as noted in paragraph (a) (4) of this section.

(5) If adequate disposal methods as listed above in this section are not available, the pesticides should be stored according to the procedures in § 165.10 until disposal facilities become available.

(6) Well injection of metallo-organic pesticides should be undertaken only in accordance with the procedures set forth in § 165.8(a)(6).

(c) Organic mercury, lead, cadmium, arsenic, and all inorganic pesticides should be disposed of according to the following procedures:

(1) Chemically deactivate the pesticides by conversion to non-hazardous compounds, and recovery the heavy metal resources. Methods that are appropriate will be described and classified according to their applicability to the different groups of pesticides. Until a list of practical methods is available, however, each use of such procedures should be undertaken only as noted in § 165.8(a)(4).

(2) If chemical deactivation facilities are not available, such pesticides should be encapsulated and buried in a specially designated landfill. Records sufficient to permit location for retrieval should be maintained.

(3) If none of the above options is available, place in suitable containers (if necessary) and provide temporary storage until such time as adequate disposal facilities or procedures are available. The general criteria for acceptable storage are noted in § 165.10.

§ 165.9 Recommended procedures for the disposal of pesticide containers and residues.

(a) *Group I Containers.* Combustible containers which formerly contained organic or metallo-organic pesticides, except organic mercury, lead, cadmium, or arsenic compounds, should be disposed of in a pesticide incinerator, or buried in a specially designated landfill, as noted in § 165.8(a); except that small quantities of such containers may be burned in open fields by the user of the pesticide when such open burning is permitted by State and local regulations, or buried singly by the user in open fields with due regard for protection of surface and sub-surface water.

(b) *Group II Containers.* Non-combustible containers which formerly contained organic or metallo-organic pesticides, except organic mercury, lead, cadmium, or arsenic compounds, should first be triple-rinsed. Containers in good condition may then be returned to the pesticide manufacturer or formulator, or drum reconditioner for reuse with the same chemical class of pesticide previously contained providing such reuse is legal under currently applicable U.S. Department of Transportation regulations including those set forth in 49 CFR 173.28. Other rinsed metal containers should be punctured to facilitate drainage prior to transport to a facility for recycle as scrap metal or for disposal. All rinsed containers may be crushed and disposed of by burial in a sanitary landfill, in conformance with State and local standards or buried in the field by the user of the pesticide. Unrinsed containers should be disposed of in a specially designated landfill, or subjected to incineration in a pesticide incinerator.

(c) *Group III Containers.* Containers (both combustible and noncombustible) which formerly contained organic mercury, lead, cadmium, or arsenic or inorganic pesticides and which have been triple-rinsed and punctured to facilitate drainage, may be disposed of in a sanitary landfill. Such containers which are not rinsed should be encapsulated and buried in a specially designated landfill.

(d) *Residue disposal.* Residues and rinse liquids should be added to spray mixtures in the field. If not, they should be disposed of in the manner prescribed for each specific type of pesticide as set forth in § 165.8.

§ 165.10 Recommended procedures and criteria for storage of pesticides and pesticide containers.

(a) *General.* (1) Pesticides and excess pesticides and their containers whose uncontrolled release into the environment would cause unreasonable

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adverse effects on the environment should be stored only in facilities where due regard has been given to the hazardous nature of the pesticide, site selection, protective enclosures, and operating procedures, and where adequate measures are taken to assure personal safety, accident prevention, and detection of potential environmental damages. These storage procedures and criteria should be observed at sites and facilities where pesticides and excess pesticides (and their containers) that are classed as highly toxic or moderately toxic and are required to bear the signal words DANGER, POISON, or WARNING, or the skull and crossbones symbol on the label are stored. These procedures and criteria are not necessary at facilities where most pesticides registered for use in the home and garden, or pesticides classed as slightly toxic (word CAUTION on the label) are stored. All facilities where pesticides which are or may in the future be covered by an experimental use permit or other special permit are stored should be in conformance with these procedures and criteria.

(2) Temporary storage of highly toxic or moderately toxic pesticides for the period immediately prior to, and of the quantity required for a single application, may be undertaken by the user at isolated sites and facilities where flooding is unlikely, where provisions are made to prevent unauthorized entry, and where separation from water systems and buildings is sufficient to prevent contamination by runoff, percolation, or wind-blown particles or vapors.

(b) *Storage sites.* Storage sites should be selected with due regard to the amount, toxicity, and environmental hazard of pesticides, and the number and sizes of containers to be handled. When practicable, sites should be located where flooding is unlikely and where soil texture/structure and geologic/hydrologic characteristics will prevent the contamination of any water system by runoff or percolation. Where warranted, drainage from the site should be contained (by natural or artificial barriers or dikes), monitored, and if contaminated, disposed of as an excess pesticide as discussed in § 165.8. Consideration should also be given to containing windblown pesticide dusts or particles.

(c) *Storage facilities.* Pesticides should be stored in a dry, well ventilated, separate room, building or covered area where fire protection is provided. Where relevant and practicable, the following precautions should be taken:

(1) The entire storage facility should be secured by a climb-proof fence, and doors and gates should be kept locked to prevent unauthorized entry.

(2) Identification signs should be placed on rooms, buildings, and fences to advise of the contents and warn of their hazardous nature, in ac-

cordance with suggestions given in paragraph (g)(1)(i) of this section.

(3) All items of movable equipment used for handling pesticides at the storage site which might be used for other purposes should be labeled "contaminated with pesticides" and should not be removed from the site unless thoroughly decontaminated.

(4) Provision should be made for decontamination of personnel and equipment such as delivery trucks, tarpaulin covers, etc. Where feasible, a wash basin, and shower with a delayed-closing pull chain valve should be provided. All contaminated water should be disposed of as an excess pesticide. Where required, decontamination area should be paved or lined with impervious materials, and should include gutters. Contaminated runoff should be collected, and treated as an excess pesticide.

(d) *Operational procedures.* Pesticide containers should be stored with the label plainly visible. If containers are not in good condition when received, the contents should be placed in a suitable container and properly relabeled. If dry excess pesticides are received in paper bags that are damaged, the bag and the contents should be placed in a sound container that can be sealed. Metal or rigid plastic containers should be checked carefully to insure that the lids and bungs are tight. Where relevant and practicable, the following provisions should be considered:

(1) *Classification and separation.* (i) Each pesticide formulation should be segregated and stored under a sign containing the name of the formulation. Rigid containers should be stored in an upright position and all containers should be stored off the ground, in an orderly way, so as to permit ready access and inspection. They should be accumulated in rows or units so that all labels are visible, and with lanes to provide effective access. A complete inventory should be maintained indicating the number and identity of containers in each storage unit.

(ii) Excess pesticides and containers should be further segregated according to the method of disposal to ensure that entire shipments of the same class of pesticides are disposed of properly, and that accidental mixing of containers of different categories does not occur during the removal operation.

(2) *Container inspection and maintenance.* Containers should be checked regularly for corrosion and leaks. If such is found, the container should be transferred to a sound, suitable, larger container and be properly labeled. Materials such as adsorptive clay, hydrated lime, and sodium hypochlorite should be kept on hand for use as appropriate for the emergency treatment or detoxification of spills or leaks. (Specific information relating to other

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spill treatment procedures and materials will be published as it is confirmed.)

(e) *Safety precautions.* In addition to precautions specified on the label and in the labeling, rules for personal safety and accident prevention similar to those listed below should be available in areas where personnel congregate:

(1) *Accident prevention measures.* (i) Inspect all containers of pesticides for leaks before handling them.

(ii) Do not mishandle containers and thereby create emergencies by carelessness.

(iii) Do not permit unauthorized persons in the storage area.

(iv) Do not store pesticides next to food or feed or other articles intended for consumption by humans or animals.

(v) Inspect all vehicles prior to departure, and treat those found to be contaminated.

(2) *Safety measures.* (i) Do not store food, beverages, tobacco, eating utensils, or smoking equipment in the storage or loading areas.

(ii) Do not drink, eat food, smoke, or use tobacco in areas where pesticides are present.

(iii) Wear rubber gloves while handling containers of pesticides.

(iv) Do not put fingers in mouth or rub eyes while working.

(v) Wash hands before eating, smoking, or using toilet and immediately after loading, or transferring pesticides.

(vi) Persons working regularly with organophosphate and N-alkyl carbamate pesticides should have periodic physical examinations, including cholinesterase tests.

(f) *Protective clothing and respirators.* (1) When handling pesticides which are in concentrated form, protective clothing should be worn. Contaminated garments should be removed immediately, and extra sets of clean clothing should be maintained nearby.

(2) Particular care should be taken when handling certain pesticides to protect against absorption through skin, and inhalation of fumes. Respirators or gas masks with proper canisters approved for the particular type of exposure noted in the label directions, should be used when such pesticides are handled.

(g) *Fire control.* (1) Where large quantities of pesticides are stored, or where conditions may otherwise warrant, the owner of stored pesticides should inform the local fire department, hospitals, public health officials, and police department in writing of the hazards that such pesticides may present in the event of a fire. A floor plan of the storage area indicating where different pesticide classifications are regularly stored should be provided to the fire department. The fire chief should be furnished with the home telephone numbers of

(i) the person(s) responsible for the pesticide storage facility, (ii) the appropriate Regional Administrator, who can summon the appropriate Agency emergency response team, (iii) the U.S. Coast Guard, and (iv) the Pesticide Safety Team Network of the National Agricultural Chemicals Association.

(2) *Suggestions for Fire Hazard Abatement.* (i) Where applicable, plainly label the outside of each storage area with "DANGER," "POISON," "PESTICIDE STORAGE" signs. Consult with the local fire department, regarding the use of the current hazard signal system of the National Fire Protection Association.

(ii) Post a list on the outside of the storage area of the types of chemicals stored therein. The list should be updated to reflect changes in types stored.

(3) *Suggested Fire Fighting Precautions.* (i) Wear air-supplied breathing apparatus and rubber clothing.

(ii) Avoid breathing or otherwise contacting toxic smoke and fumes.

(iii) Wash completely as soon as possible after encountering smoke and fumes.

(iv) Contain the water used in fire fighting within the storage site drainage system.

(v) Fireman should take cholinesterase tests after fighting a fire involving organophosphate or N-alkyl carbamate pesticides, if they have been heavily exposed to the smoke. Baseline cholinesterase tests should be part of the regular physical examination for such firemen.

(vi) Evacuate persons near such fires who may come in contact with smoke or fumes or contaminated surfaces.

(h) *Monitoring.* An environmental monitoring system should be considered in the vicinity of storage facilities. Samples from the surrounding ground and surface water, wildlife, and plant environment, as appropriate, should be tested in a regular program to assure minimal environmental insult. Analyses should be performed according to "Official Methods of the Association of Official Analytical Chemists (AOAC)," and such other methods and procedures as may be suitable.

Subpart D—Pesticide-Related Wastes

§ 165.11 Procedures for disposal and storage of pesticide-related wastes.

(a) In general all pesticide-related wastes should be disposed of as excess pesticides in accordance with the procedures set forth in §§ 165.7 and 165.8. Such wastes should not be disposed of by addition to an industrial effluent stream if not ordinarily a part of or contained within such industrial effluent stream, except as regulated by and in

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compliance with effluent standards established pursuant to sections 304 and 307 of the Federal Water Pollution Control Act as amended.

(b) Pesticide-related wastes which are to be stored should be managed in accordance with the provisions of § 165.10.